<div align="center">

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION

</div>

SAMMY MILLER   **PLAINTIFF**

VS.   **Civil Action No.: 4:12-cv-53-SA-JMV**

TOWN OF SUNFLOWER, MISSISSIPPI, ET AL.   **DEFENDANTS**

<div align="center">

ORDER

</div>

This matter is before the court on motion of the defendants to compel plaintiff, Sammy Miller, to produce answers to interrogatories and responses to request for production of documents (#27). The plaintiff has indicated that the motion is unopposed. With its motion, the defendant provides that:

1.   On or about October 15, 2012, Defendants propounded Interrogatories and Requests for Production of Documents to Plaintiff.

2.   Thereafter, Defendants agreed to Plaintiff's November 9, 2012 request for an additional three (3) weeks to respond to this discovery. With this extension, Plaintiff's discovery responses would have been due by November 30, 2012.

3.   On January 15, 2013, Plaintiff's counsel sent an email requesting another extension of time through January 22, 2013 to provide Plaintiff's discovery responses. Defendants' counsel agreed to delay filing a motion to compel until January 22, 2013. No such responses were provided by this date.

4.   To date, Plaintiff has still not responded to Defendants' discovery requests.

IT IS, THEREFORE, ORDERED that the defendants' motion to compel is **GRANTED**. The plaintiff is hereby ordered to provide complete responses to all pending discovery requests detailed in the defendants' motion by February 5, 2013.

IT IS FURTHER ORDERED that pursuant to Rule 37(b)(2)(C), should the plaintiff fail to comply with this order, he will be required to pay defendant the reasonable expenses, including attorney's fees caused by his failure to comply with an order of the court and his failure to respond to the discovery propounded. It is also possible that the court will consider further sanctions, including, if determined appropriate, dismissal of the action.

SO ORDERED this 29th day of January 2013.

/s/Jane M. Virden
U.S. MAGISTRATE JUDGE